

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

UNITED STATES OF AMERICA

VERSUS

CRIMINAL ACTION NO. 1:07CR47

TOMMY RAY CREEKMORE

ORDER

This cause is before the Court on defendant Creekmore's Motion for Continuance [45]. The Court, having reviewed the motion and being otherwise fully advised in the premises, finds as follows, to-wit:

The trial of this matter is currently set for June 25, 2007. Counsel for defendant Creekmore seeks a continuance in order to complete a thorough review of the discovery provided by the government and to engage in necessary trial preparation. The government does not object to the requested continuance. Based on the foregoing, the Court finds that the defendant's motion is well-taken and should be granted.

The above circumstances enable the Court to exclude, pursuant to 18 U.S.C. § 3161(h)(8)(A), the period of delay from June 25, 2006 until the new trial date to be set in this matter. The time is excludable under subsection (h)(8)(A) because, given the circumstances described above, a continuance is necessary to afford defendant additional time to investigate and prepare a defenses to the pending charges. Therefore, the ends of justice served by the granting of this continuance outweigh the best interests of the public and the defendants in a speedy trial.

IT IS, THEREFORE, ORDERED AND ADJUDGED that

1. The Motion for Continuance [45] is GRANTED;
2. That the trial of this matter is continued as to all defendants until Monday, August 20, 2007 at 9:00 a.m. in the United States District Courthouse in Greenville, Mississippi;
3. That the delay from June 25, 2007 until August 20, 2007 is excluded as set out above;
4. That the deadline for filing pretrial motions is July 30, 2007;
5. That the deadline for submitting a plea agreement is August 6, 2007.

SO ORDERED, this the 29th day of May, 2007.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE